

ENTERED

State of New Mexico
ENVIRONMENT DEPARTMENT



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PUBLIC NOTICE NO. 04-08

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NM 87505**

JUNE 15, 2004

NOTICE OF POSTPONEMENT FOR PUBLIC HEARING

**CONCERNING INTENT TO APPROVE AN AGENCY-INITIATED MODIFICATION
TO THE
HAZARDOUS WASTE FACILITY PERMIT
FOR THE
WASTE ISOLATION PILOT PLANT
CARLSBAD, NEW MEXICO
EPA ID NO. NM4890139088
NO. HWB 04-01 (M)**

On November 26, 2003, the New Mexico Environment Department (NMED) issued a public notice regarding a proposal to approve an agency-initiated modification to the Hazardous Waste Facility Permit for the Waste Isolation Pilot Plant (WIPP) pursuant to the New Mexico Hazardous Waste Act, NMSA 1978 §§ 74-4-1 et seq. (Repl. Pamp. 2000). This modification would limit waste eligible for disposal at WIPP to the inventory identified when the permit was originally issued. The WIPP facility is owned and operated by the US Department of Energy (DOE) and co-operated by Washington TRU Solutions LLC (the Permittees). WIPP is located south of U.S. Highway 62-180 (Hobbs Highway) in Eddy County, New Mexico, approximately 26 miles east of Carlsbad.

Today NMED announces that previously noticed public hearings on this matter are being postponed because the proceeding for this modification is being held in abeyance for an indefinite period of time. No further action in this proceeding will take place pending a decision on a permit modification request that the Permittees intend to file that may supplant the NMED modification. NMED expects

to receive this new permit modification request no later than July 6, 2004. Such a permit modification request will be subject to public notice and opportunity for public comment.

This proceeding may resume if NMED determines that the Permittees' permit modification request is untimely filed, is not diligently pursued, or is decided. If the Permittees' modification is approved, after appropriate public comment and participation, NMED would withdraw its agency initiated permit modification; otherwise, NMED may resume pursuing it. In the meantime, the Permittees shall not dispose of waste that is the subject of their expected permit modification request until their request is decided by NMED.

Further information, including the hearing officer's order in this matter, is available on the NMED WIPP Information Page at <http://www.nmenv.state.nm.us/wipp/> or from Mr. Steve Zappe of the NMED Hazardous Waste Bureau, 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505, (505) 428-2517.

